



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

E.6:
6-14-04
EPA Region 5 Records Ctr.



233952

JUN 14 2004

REPLY TO THE ATTENTION OF:

Calumet Container Site
SE-5J

**VIA FACSIMILE AND
CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Peacock Colors Inc.
Attn.: Clifford Bloom, President
1000 W. National Ave.
Addison, IL 60101-3127

Re: Calumet Containers Site, Hammond, Lake County, Indiana (RV)
Nonresponse to March 22, 2004, Information Request

Dear Mr. Bloom:

On March 22, 2004, the United States Environmental Protection Agency (U.S. EPA) issued an information request to your company pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended, 42 U.S.C. §9604(e). The information request was served by certified mail and required your company to provide certain documents and information within 21 days of receipt of that information request. Because U.S. EPA never received a response to that information request, it sent a follow-up information request on April 23. Again U.S. EPA did not receive a response.

U.S. EPA therefore is sending its final request that you comply immediately with that information request. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR 2.203 (b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures, provided in 40 CFR Part 2, Subpart B. If no such claim accompanies the information when it is received by U.S. EPA, it may be made available to the public by U.S. EPA without further notice to your company.

Continued failure to comply with U.S. EPA's information request, or to adequately justify such failure to respond, may subject your company to an enforcement action seeking to compel compliance and collect penalties of up to \$32,500 per day of noncompliance pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5) and as adjusted by 69 Fed. Reg. 7121-27 (Feb. 13, 2004) (codified at 40 C.F.R. § 19.4) pursuant to the Debt Collection Improvement Act of 1996. U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

Please contact Richard Murawski, Assistant Regional Counsel, at (312) 886-6721 if you have any legal questions regarding this matter. All other questions should be directed to Sally Jansen, Emergency Enforcement Support Section, at (312) 353-9046. You may fax your response to Ms. Jansen at (312) 886-0753, but if you choose to do so, please call her to alert her at the time you actually send the fax to ensure that she personally receives it. You should also send the original response through the mail to her attention.

Sincerely yours,



William D. Messenger, Chief
Emergency Enforcement Support Section

bcc: Richard Murawski, ORC C-14J
Verneta Simon, OSC SE-5J
John Maritote, EESS SE-5J
Sally Jansen, EESS SE-5J
Denise Battaglia, Public Affairs P-19J
Records Center SMR-7J

**CALUMET CONTAINERS SITE
HAMMOND, LAKE COUNTY, INDIANA**

SECOND NO RESPONSE FOLLOW-UP INFORMATION REQUEST

Sent to: Peacock Colors Inc.
Attn.: Clifford Bloom, President
1000 W. National Ave.
Addison, IL 60101-3127

Date sent: **JUN 1 4 2004**